

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, February 26, 2019

Eau Claire County Board Room

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council Vice President/Acting President Werthmann called the meeting to order. The following members were present: Council Members Emily Anderson, Kate Beaton, Emily Berge, Jill Christopherson, Catherine Emmanuelle, Jeremy Gragert, David Strobel, Terry Weld, and Andrew Werthmann. Council Members absent: Michael Xiong.

CONSENT AGENDA

The City Council considered a resolution adopting the Consent Agenda. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Beaton “to separate for consideration agenda item #11 with regard to the claim for tax exemption by Blugold Real Estate Foundation, Inc.” Said motion passed without objection.

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to adopt the Consent Agenda” for the following items of routine business on Tuesday, February 26, 2019:

- Adopting the Consent Agenda.
- Approving the Minutes of the February 12, 2019 Council Legislative Session.
- Authorizing Chippewa Valley Blues Society to conduct the Tuesday Night Blues on Tuesdays from May 28 - August 27, 2019 in Owen Park, and in Phoenix Park on Tuesday, August 6, 2019.
- Granting new bartender licenses.
- Granting a Temporary Class B Fermented Malt Beverage license to Cedar creek Community Church, Rob Gerber, President, on May 3, 2019, at 3520 Eastwind Drive, for Cedar creek Sportsman’s Banquet.
- Granting a Change of Agent for the Class A Fermented Malt Beverage & Class A Intoxicating Liquor (Cider only) license of Cenergy, LLC., d/b/a Mega Holiday #3710, 4304 Jeffers Road, from Nicholas D. Anderson to Kayla Lorenzen.
- Granting a Change of Agent for the Class A Fermented Malt Beverage & Class A Intoxicating Liquor (Cider only) license of Cenergy, LLC., d/b/a Mega Holiday #3709, 5511 S. Highway 93, from Erin Miller to Steven J. Poe.
- Granting a Change of Agent for the Class A Fermented Malt Beverage & Class A Intoxicating Liquor (Cider only) license of Cenergy, LLC., d/b/a Mega Holiday #3707, 2943 Western Avenue, from Michelle J. Smokowicz to Paul C. Shaurette.
- Renewing a Lease Agreement with Cigan Properties Limited Partnership for property at 1607 Westgate Road.

- Approving preliminary resolution declaring the City's intention to exercise its special assessment powers under Section 66.0703, Wisconsin Statutes, for street, utility, and sidewalk improvements, and directing the City Clerk to give notice of a hearing scheduled for March 11, 2019, on the following streets:
 - State Street, Garfield Avenue to South City Limits (19-100);
 - Forest Street, Huyssen Street to Madison Street (19-103).

Said motion passed by unanimous vote.

CLAIMS

The City Council considered a resolution authorizing the City of Eau Claire to disallow the claim for tax exemption by Blugold Real Estate Foundation, Inc. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Beaton "to adopt the resolution." Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Christopherson, Gragert, Strobel, Weld and Werthmann. Nay: Council Member Emmanuelle.

COMMENDATIONS AND PROCLAMATIONS

Council Vice President/Acting President Werthmann presented the Winter City Vanguard Award to Council Member Berge, Community Development Director Scott Allan, Health Department Director Lieske Giese, Recreation Manager Dawn Comte, Visit Eau Claire Marketing Manager Stephanie Pohnl, UWEC Community Relations Specialist Jake Wrasse and the Wintermission team. The City of Eau Claire was one of three cities selected to be a Winter City Vanguard! Over the next 2 years, Eau Claire will participate in the ground-breaking Wintermission program, including community engagement, pilot projects and the creation of a unique Winter City strategy. Where we are not just winter survivors; but winter thrivers!

ALLEY IMPROVEMENTS

The City Council considered a resolution approving the project and levying special assessments for improvements on the Alley East of Fifth Avenue, Congress Street to Fulton Street (19-514). Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld "to adopt the resolution." Said motion passed by unanimous vote.

STREET IMPROVEMENTS

The City Council considered a resolution approving the project and levying special assessments for street and utility improvements on the following streets:

- Eddy Lane, Starr Avenue to Hastings Way (19-102)
- Melby Street, Anderson Drive to Hastings Way (19-108).

Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Gragert “to adopt the resolution. Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Beaton “to amend the resolution changing the sidewalk width from 5’ to 8’ asphalt along the north side of Melby Street where possible.” Said motion passed by unanimous vote. A vote was then taken to “adopt the resolution as amended.” Said motion passed by unanimous vote.

The City Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on the following streets:

- Eddy Lane, Starr Avenue to Hastings Way (19-102)
- Melby Street, Anderson Drive to Hastings Way (19-108).

Thereupon a motion was offered by Council Member Berge and seconded by Council Member Christopherson “to adopt the resolution.” Said motion passed by unanimous vote.

GRANTS

The City Council considered a resolution accepting and appropriating a Recreational Trail Grant from the Department of Natural Resources to be used for the Downtown Riverwalk between the Confluence and Lake Street. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to adopt the resolution.” Said motion passed by unanimous vote.

The Council considered a resolution accepting and appropriating a Recreational Trail Grant from the Department of Natural Resources to be used for the Birch picnic area step rehabilitation at Carson Park. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld “to adopt the resolution.” Said motion passed by unanimous vote.

AGREEMENTS

The Council considered a resolution approving a Memo of Understanding between the City of Eau Claire and Eau Claire American Baseball. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Gragert “to adopt the resolution” Said motion passed by unanimous vote.

APPOINTMENTS

The Council considered a resolution approving appointments and reappointments to various Boards, Commissions and Committees. (RDA appointments require a 4/5 vote of the City Council for adoption.) Vice President/Acting President Werthmann called a recess at 4:42 p.m. Council reconvened at 4:45 p.m. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Werthmann “to adopt the resolution.”

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to amend the resolution to postpone the Redevelopment Authority appointment for 2 weeks”.

Vice President/Acting President Werthmann divided the resolution into 3 separate votes without objection.

A vote was then taken approving the section of the resolution confirming the Bicycle/Pedestrian Advisory Committee and South Barstow Business Improvement District appointments only. Said motion passed by unanimous vote.

After further discussion, Council Member Strobel withdrew his motion.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Beaton “to confirm the Redevelopment Authority appointment”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Beaton “to postpone the Waterways and Parks appointment until the next council meeting”. Said motion passed by unanimous vote.

KEEPING OF HONEY BEES

The Council considered an ordinance amending Chapter 6.14, entitled “Keeping of Honey Bees” of the Code of Ordinances of the City of Eau Claire. Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Berge “to adopt the ordinance.” Said motion passed by unanimous vote.

DOCKLESS BICYCLE SHARE

The Council considered an ordinance creating Chapter 5.64 entitled “Dockless Bicycle Share” and amending Section 10.08.100 entitled “Parking”. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Strobel “to adopt the ordinance.” Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to amend the ordinance under 5.64.050 Licensee Requirements adding the words in bold letters “*No Riding on downtown sidewalks*”. A friendly amendment to the motion was offered by Council Member Gragert to “change the words to ‘*walk your wheels*’”. Said friendly amendment was accepted by the movers. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Beaton “to amend the ordinance for the license period to run through ‘November 30’”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Beaton “to amend the ordinance section 10.08.100 Parking as follows:

- A. Adding ‘curbface to curbface’ after the word street.
- B. Striking the words ‘upon a street’; but including a lot of what was originally going to be struck: ‘against a curb, upon a sidewalk, upon the sidewalk in a rack to support the bicycle, or against a building or at the curb’.
- Not including C.
- Keep D & E; but relabels them ‘C’ and ‘D’ “.

Thereupon a motion was offered by Council Member Weld and seconded by Council Member Strobel “to amend the ordinance section 100.08.100 Parking adding the words ‘*in Walk your Wheels zone*’ to read as follows:

- E. Bicycles shall not be secured to any trees, signs, poles, public art, or other items on public right-of-way other than a bicycle rack, corral or similar designated locations *in Walk your Wheels zones*”. Said motion failed by the following vote: Aye: Council Members Strobel and Weld. Nay: Council Member Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert, and Werthmann.

The original amendment was then voted on. Said motion passed by the following vote: Aye: Council Member Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert, and Werthmann. Nay: Council Members Strobel and Weld.

A vote was then taken to “adopt the ordinance as amended.” Said motion passed by unanimous vote.

PARKING

The Council considered an ordinance amending Table IX of the City Code of Ordinances of the City of Eau Claire, entitled “Parking During Specified Hours,” and specifically “Parking Prohibited – Passenger Loading Zone” related to parking near The Pablo Center at the Confluence. Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Emmanuelle “to adopt the ordinance.” Said motion passed by unanimous vote.

ADJOURNMENT

A motion was offered by Council Member Weld and seconded by Council Member Beaton “that this meeting does now adjourn without objection.” Said motion passed by unanimous consent.

Adjournment: February 26, 2019

Time: 6:15 p.m.

ATTEST:

/s/ Andrew F. Werthmann
Vice President/Acting President

/s/ Cynthia Anderson
Deputy Clerk